

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases
5:16-cv-10444/17-cv-10164

Hon. Judith E. Levy
United States District Judge

_____/

This Motion Relates to:

Bellwether III Cases

_____/

**STIPULATION REGARDING DEADLINES
FOR BELLWETHER III PRE-TRIAL MOTIONS**

Bellwether III Plaintiffs and Defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”) stipulate and agree to the following amendments to the existing deadlines most recently set forth in ECF No. 2969.

The parties stipulate that Plaintiffs’ Response in Opposition to the VNA Defendants’ Motion to Exclude Certain Opinions of Dr. Aaron Specht (ECF No. 2916) — currently due June 4, 2024 — will be due June 11, 2024, and that the VNA Defendants’ corresponding Reply — currently due June 18, 2024 — will now be due on June 25, 2024. The parties also stipulate that the VNA Defendants’ Response in Oppositions to the Plaintiffs’ Motion to Comprehensively Exclude the Novel Biosolids Hypothesis (ECF No. 2928) — currently due June 6, 2024 —

– will be due June 12, 2024, and that the Plaintiffs’ corresponding Reply—
currently due June 24, 2024 — will be due on June 26, 2024.¹

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
VNA’s Deposition of Dr. Edward Hoffman	May 17, 2024
Daubert and Summary Judgment Motions	Plaintiffs’ Daubert Motions: April 22, 2024 Defendant’s Daubert Motion As To Dr. Hoffman: May 24, 2024 Summary Judgment Motions for both parties: April 15, 2024

¹ Changes to the deadlines set forth in ECF No. 2969 are indicated in red font.

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Daubert and Summary Judgment Response Briefs	<p>Plaintiffs' Daubert Motion Response Briefs: April 30, 2024 (Dr. Jourdan, Dr. Crakes, and Dr. Russell), May 21, 2024 (Dr. Bithoney and Dr. Sample), June 11, 2024 (Dr. Specht), June 10, 2024 (Dr. Hoffman)</p> <p>Defendants' Daubert Motion Response Briefs: June 12, 2024 (Motion to Comprehensively Exclude the Novel Biosolids Hypothesis)</p> <p>Summary Judgment Response Briefs: May 28, 2024</p>
Daubert and Summary Judgment Reply Briefs	<p>Defendant's Daubert Motion Reply Briefs: May 10, 2024 (Dr. Jourdan, Dr. Crakes, and Dr. Russell), May 31, 2024 (Dr. Bithoney and Dr. Sample), June 25, 2024 (Dr. Specht), June 20, 2024 (Dr. Hoffman)</p> <p>Plaintiffs' Daubert Motion Reply Briefs: June 26, 2024 (Motion to Comprehensively Exclude the Novel Biosolids Hypothesis)</p> <p>Summary Judgment Reply Briefs: June 18, 2024</p>
Oral Argument on Daubert Motions	June 27, 2024 9:30 am cont'd if needed on June 28, 2024 9:30 am

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Deadline for Parties to Submit Joint Proposed Jury Questionnaire to the Court (via e-mail)	July 15, 2024
Motions in Limine—Opening Briefs	July 22, 2024
Motions in Limine—Response Briefs	August 5, 2024
Motions in Limine—Reply Briefs	August 12, 2024

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Deadline for Parties to Ship 200 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	September 6, 2024
Summoned Jurors to Courthouse to Answer Questionnaires (Court Staff Only) (Jury Department takes approximately one week to process questionnaires and make them available to counsel and the Court)	September 10, 2024 9:00am, cont'd if needed on September 11, 2024 9:00am

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Hearing on motions in limine (the Court will notify the parties in advance as to which motions will be argued)	September 12, 2024 10:30am
Deposition Designations (due for exchange between parties)	Parties to propose deadline

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Objections to Deposition Designations and Counter Designations (due for exchange between parties)	Parties to propose deadline
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court (via e-mail)	September 16, 2024
Parties to File Jointly Proposed Jury Instructions and Verdict Form	September 16, 2024

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Parties to Submit Joint Final Pretrial Order (use Utilities function in CM/ECF and e-mail)	September 16, 2024
Parties to Submit Jointly Proposed Voir Dire Questions and Joint Statement of the Case (via e-mail)	September 20, 2024
Status Conference Regarding Excusals Based on Jury Questionnaire Responses	TBD

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
Final Pretrial Conference and Hearing on proposed Jury Instructions and Verdict Form	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am
Deadline for Court to Inform Jury Dept of Excusals Based on Questionnaires (Court Staff Only)	October 2, 2024
Hearing Regarding Misc. Pretrial Matters (if needed)	October 7, 2024

<u>Event</u>	<u>Amended Deadline/Deadline Range (where applicable)</u>
First Day of Trial/Voire Dire	October 8, 2024

Dated May 29, 2024
Respectfully submitted,

/s/ Corey M. Stern
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 29, 2024.

/s/ Corey Stern
COREY STERN